



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/718,130	11/20/2003	Eero Kaappa	KOLS.064PA	9110

7590 08/19/2008
Hollingsworth & Funk, LLC
Suite 125
8009 34th Avenue South
Minneapolis, MN 55425

EXAMINER

SALAD, ABDULLAHI ELM I

ART UNIT	PAPER NUMBER
----------	--------------

2157

MAIL DATE	DELIVERY MODE
-----------	---------------

08/19/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/718,130	Applicant(s) KAAPPA ET AL.	
	Examiner Salad Abdullahi	Art Unit 2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 5-7, 10, 11 and 16-18 is/are allowed.
- 6) ☒ Claim(s) 1, 2, 8, 9 and 12 is/are rejected.
- 7) ☒ Claim(s) 3, 4 and 13-15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/25/2008 has been entered.

Allowable Subject Matter

2. *claims 5-7 and 10-11 and 16-18 are allowed.*

3. Claims 3-4, and 13-15 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant alleges neither of the cited reference teaches “determining in the management server at least one data element comprising the priority data of at least one sub object in relation to other sub objects wherein the data element is a management object; and attaching said at least one data element to the management tree maintained by the management server” .

Examiner respectfully disagrees because Hamada disclose a document object management system including determining in the management server (Web server) at least one data element (object data) comprising the priority data(XML-P'z document shown in FIG. 12) of at least one sub object in relation to other sub objects, determining

Art Unit: 2157

priority of at least one sub object, belonging to the management object in relation to other sub objects(see figs 1 and 18 and paragraph 0202, 0209 and 0266).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-2, 8-9, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oommen et al., U.S. Patent Application No. 2003/0103484 [hereinafter Oommen] in view of Hamada et al., U.S. Patent Application Publication No. 2002/0078105 [hereinafter Hamada].

As per claim 1, 8 and 12 Oommen discloses a method comprising:

determining in a management server, the contents of new management object of a management tree maintained by the device management server(see paragraph 0036-0037);

sending a file definition according to the management tree to the management customer device(see paragraph 0037); and

determining priority of at least one sub object, belonging to the management object in relation to other sub objects(see paragraph 0036-0037); and

Art Unit: 2157

Oommen is silent regarding: determining in the management server at least one data element comprising the priority data of at least one sub object in relation to other sub objects wherein the data element is a management object and attaching said at least one data element to the management tree maintained by the management server.

Hamada disclose a document object management system including determining in the management server (Web server/XML-P'z server A1) at least one data element (object data) comprising the priority data(XML-P'z document shown in FIG. 12) of at least one sub object in relation to other sub objects, determining priority of at least one sub object, belonging to the management object in relation to other sub objects and attaching said at least one data element to the management tree maintained by the management server (see figs 1 and 18 and paragraph 0202, 0209 and 0266). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention presented with teaching of Oommen to utilize the object prioritizing mechanism as taught by Hamada into the system of Oommen thus enabling managed document objects to be processed according to their priority.

As per claim 2, and 9 Oommen discloses method as claimed in claim 1, further comprising determining in a server device according to SyncML Device Management and in a customer device according to SyncML Device Management priority data for a

Art Unit: 2157

management object comprising provisioning settings of a WAP protocol for a Bootstrap process (see paragraph 0059).

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Salad E Abdullahi whose telephone number is 571-272-4009. The examiner can normally be reached on 8:30 - 5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Salad Abdullahi/

Primary Examiner, Art Unit 2157

8/15/2008